

<b>NEVADA DEPARTMENT OF CORRECTIONS</b>	<b>SERIES 300 PERSONNEL</b>	<b>SUPERSEDES: AR 316 (08/12/02)</b>
<b>ADMINISTRATIVE REGULATIONS MANUAL</b>	<b>ADMINISTRATIVE REGULATION 316 EMPLOYEE TRANSFERS TEMP</b>	<b>EFFECTIVE DATE: 09/06/03</b>

## TABLE OF CONTENTS

	<u>PURPOSE</u>	
	<u>AUTHORITY</u>	
	<u>RESPONSIBILITY</u>	
	<u>DEFINITIONS</u>	
	<u>APPLICABILITY</u>	
	<u>PROCEDURES</u>	
<u>316.01</u>	VOLUNTARY TRANSFERS	
<u>316.02</u>	INVOLUNTARY TRANSFERS	
<u>316.03</u>	ROTATION TRANSFERS	
<u>316.04</u>	TRANSFERS TO ANOTHER STATE AGENCY	
<u>316.05</u>	TRANSFER FROM UNCLASSIFIED TO CLASSIFIED SERVICE	
<u>316.06</u>	FINANCIAL RESPONSIBILITY	
	<u>REFERENCES</u>	
	<u>ATTACHMENTS</u>	
	<u>MANDATORY REVIEW DATE</u>	<u>08/12/04</u>

### **PURPOSE**

To establish guidelines and provide information regarding employee transfers within the Department and to other State agencies.

### **AUTHORITY**

NRS 284.3775  
NRS 284.376  
NRS 284.375  
NAC 284.390, 284.394

## **RESPONSIBILITY**

It is the responsibility of the appointing authority to ensure all transfers within the Department are submitted on the appropriate form and in compliance with Department Regulations and pursuant to the Nevada Administrative Code, Rules for Personnel Administration.

It is the responsibility of the employee to make their interest known when a transfer is desired.

## **DEFINITIONS**

**APPOINTING AUTHORITIES** – Individuals to whom the Director has delegated authority to recommend and implement personnel actions. Appointing authorities may include Assistant Directors, Medical Director, Wardens, and Correctional Programs Division Administrator.

**CLASS** – A group of positions sufficiently similar with respect to their duties and responsibilities that the same title may be reasonably and fairly used to designate each position allocated to the class, substantially the same tests of fitness may be used, substantially the same minimum qualifications may be required and the same schedule of compensation may be applied with equity.

**CLASSIFIED SERVICE** – All positions in the public sector which are not included in the unclassified service. Refer to NRS 284.150.

**DEPARTMENT** – The Nevada Department of Corrections.

**DEPARTMENT PERSONNEL DIVISION** – The Personnel Division within the Nevada Department of Corrections.

**DIRECTOR** – The Director of the Nevada Department of Corrections.

**DIVISION HEADS** – Those individuals responsible for the major divisions of the Department; such as Personnel, Inmate Services, Fiscal, Inspector General's Office, Procurement, Accounting, Offender Management, Stores, Medical.

**EMPLOYEE** – A person legally holding a position in the public service as defined in NRS 284.015.

**INVOLUNTARY TRANSFER** – A transfer for the convenience of the State from one position to another position in the same or related class.

**PERMANENT STATUS** – The standing an employee has in the class to which appointed following successful completion of the probationary period.

**PROBATIONARY EMPLOYEE** – An employee who has not successfully completed a probationary period for any class held in classified service.

**PROBATIONARY PERIOD** – All original competitive appointments to and promotions within the classified service must for a fixed probationary period of 6 months or 1 year dependent upon grade. All classes lower than grade 20 are assigned to a 6-month probationary period. Classes at a grade 20 and above are assigned to a 1-year probationary period.

**STATE DEPARTMENT OF PERSONNEL** – The Nevada State Department of Personnel.

**TRANSFER** – A noncompetitive appointment in which an employee moves from one position to another position in the same or related class, with the same pay grade.

**TRANSFER (SWAP)** - A transfer involving two employees who have indicated a desire to exchange positions of the same or related class within the Department.

## **APPLICABILITY**

This regulation applies to all employees of the Department of Corrections.

## **PROCEDURES**

### **316.01 VOLUNTARY TRANSFERS**

1.1 An employee who wants a transfer within the Department shall originate a request on the Transfer Request Form DOC-1041 via the employee's chain of command, at their assigned institution.

1.2 The Warden/Division Head at both affected budget accounts will forward the request either recommending approval or disapproval to the Department Personnel Division.

1.3 The Department's Personnel Division shall determine vacancy and classification, and advise the appropriate Warden/Division Head.

1.4 The effective date of the transfer is to be determined by the Department Personnel

Division in coordination with both affected duty stations.

1.5 When there are two employees who want to request a double voluntary transfer each shall originate such a request on the Form DOC-1041 form via their respective chain of command.

1.6 A transfer request of an employee to a position in the same class shall require only the completion of the Form DOC-1041. **(3-4056)**

1.7 A transfer request of an employee to a related class shall require completion of the Form DOC-1041, and a state application.

### **316.02 INVOLUNTARY TRANSFERS**

1.1 The appointing authority may, after giving five (5) working days notice, transfer for the convenience of the State, any employee from one position to another position in the same or related class. The notice requirement is waived if the length of the transfer will not exceed ten working days.

1.2 Should a bonafide or justifiable emergency exist, a transfer may be made immediately with the prior approval of the State Department of Personnel.

1.3 A transfer may not be used to harass or discipline an employee.

### **316.03 ROTATION TRANSFERS**

1.1 All Transportation employees may be transferred either voluntarily or involuntarily after two years into or out of a position with central Transportation per recommendation of the Warden/Division Head.

1.1.1 The purpose of cross training institution employees in the transportation of inmates into the public for court, medical and transfers between institutions is to provide avenues for the development of knowledge, skills and employee abilities.

1.1.2 The Transfer Request Form DOC-1041 must be utilized for this rotation and will be initialed by the Transportation Lieutenant.

1.2 The Department may give thirty (30) days notice, prior to transferring staff members.

1.3 Rotation position moves must be of the same or related class.

1.4 The Warden and the Division Head at both affected budget accounts will forward the request either recommending approval or disapproval to the Department of Personnel Division.

1.5 The Department's Personnel Division shall determine vacancy and classification, and advise the appropriate warden, Division Head and the Assistant Director of Operations.

1.6 The effective date of the transfer is to be determined by the Assistant Director of Operations (ADO) in coordination with the Department's Personnel Division.

1.7 The Department shall not affect the transfer until approved by the Assistant Director of Operations (ADO).

1.8 When there are two employees that want to request a double transfer each shall originate such a request on the Transfer Request Form DOC-1041 via their respective chain of command.

1.9 Upon completion of the transfer, employees transferring to Central Transportation must within thirty (30) days qualify with weapons per Central Transportation course of fire, and obtain a Commercial Driving License.

#### **316.04 TRANSFERS TO ANOTHER STATE AGENCY**

1.1 The transfer of an employee from a position under the jurisdiction of one State agency to another State agency may be made if the positions are in the same or related class and upon the request of the employee.

1.2 A transfer of an employee to a position in a related class may require the completion of an application by the employee to determine his qualifications.

1.2.1 An employee transferring from one state agency to another state agency without a break in service shall have annual and sick leave balances transferred to the new agency.

1.2.2 All accumulated comp time shall be compensated for by the agency the employee is leaving.

#### **316.04 TRANSFER FROM UNCLASSIFIED TO CLASSIFIED SERVICE**

1.1 A transfer from a position in the unclassified service to a position in the classified service may be made pursuant to NAC 284.398 and NRS 284.3775.

1.2 The Department Personnel Officer must approve these transfers.

### **316.05 APPOINTMENT STATUS**

1.1 A probationary employee who transfers within the same class must serve the remaining portion of a probationary period.

1.2 A probationary employee who transfers to another class must serve a new probationary period.

1.3 A permanent employee who transfers within the same class shall retain their permanent status. **(3-4057)**

1.4 An employee who transfers from unclassified service to classified service must serve a new probationary period.

### **316.06 FINANCIAL RESPONSIBILITY**

1.1 Reasonable expenses authorized for transfers affected for the convenience of the State and in compliance with the requirements and conditions contained in the State Administrative Manual (SAM) may be appropriately reimbursed by the State.

1.2 Approved transfers for the convenience of the employee shall be affected at no expense to the Department or the State. Any expense for relocation will be the sole responsibility of the employee.

### **REFERENCES**

ACA 3-4057, and 3-4056

### **ATTACHMENTS**

Transfer Request Form DOC-1041

\_\_\_\_\_  
Jackie Crawford, Director

\_\_\_\_\_  
Date

**CONFIDENTIAL**

\_\_\_\_\_  
Yes

XX  
No

**THIS PROCEDURE SUPERSEDES ALL PRIOR WRITTEN PROCEDURES ON THIS SPECIFIC SUBJECT.**